

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.12274 of 2008

---

SAKALDEV PANDEY & ORS.

Versus

THE STATE OF BIHAR

-----

4. 4.7.2008 Heard the learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Bhagwanpur P.S.Case No.62 of 2006 for the offences under section 307 and 379 of the Indian Penal Code.

It is submitted on behalf of the petitioners that the case is in retaliation of an earlier case filed on behalf of these petitioners against the informant, who are Pattidars. It is further submitted that the allegation against petitioner no.3 Babu Pandey of committing the alleged offences under section 379 of the Indian Penal Code has not been found true during the investigation and as regards petitioner no.5 Parkala Devi, it is only attributed that she was holding *Farsa* in her hand, which was taken away by her husband for assault.

Considering the allegations and the submissions as noticed above, let Petitioner no.3 Babu Pandey @ Abanish Kumar and petitioner no.5 Parkala Devi, in the event of their arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief

Judicial Magistrate, Vaishali, in connection with Bhagwanpur P.S. Case No.62 of 2006, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

Considering the allegation and in the facts and circumstances of the case, the prayer for anticipatory bail made on behalf of petitioner no.1 Sakaldev Pandey and petitioner no.4 Kanhaiya Pandey is rejected.

**PNM**

**(Shailesh Kumar Sinha, J.)**

